

ESTTA Tracking number: **ESTTA679156**

Filing date: **06/19/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Petition for Cancellation

Notice is hereby given that the following party requests to cancel indicated registration.

Petitioner Information

Name	Ferndale IP, Inc.		
Entity	Corporation	Citizenship	Michigan
Address	780 W. Eight Mile Road Ferndale, MI 48220 UNITED STATES		

Attorney information	Julie A. Greenberg Gifford, Krass, Sprinkle, Anderson & Citkowski, P.C. 2701 Troy Center Drive, Ste. 330 Troy, MI 48084 UNITED STATES docket@patlaw.com, dnichols@patlaw.com Phone:248-647-6000
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Registrations Subject to Cancellation

Registration No	4460694	Registration date	01/07/2014
International Registration No.	NONE	International Registration Date	NONE
Registrant	Boehringer Ingelheim International GmbH GERMANY		

Goods/Services Subject to Cancellation

Class 005. First Use: 0 First Use In Commerce: 0

All goods and services in the class are cancelled, namely: Pharmaceutical preparations, namely, pharmaceutical preparations for the treatment of diseases and disorders of the alimentary tract and metabolism, and blood and blood forming organs; pharmaceutical preparations for the treatment of diseases and disorders of the cardiovascular system, musculoskeletal system, central nervous system, peripheral nervous system, genitourinary system and respiratory system; and pharmaceutical preparations for the treatment of dermatological, hormonal, infectious, viral and oncological diseases and disorders

Grounds for Cancellation

Priority and likelihood of confusion		Trademark Act section 2(d)	
Registration No	4460693	Registration date	01/07/2014
International Registration No.	NONE	International Registration Date	NONE
Registrant	Boehringer Ingelheim International GmbH GERMANY		

Goods/Services Subject to Cancellation

Class 005. First Use: 0 First Use In Commerce: 0

All goods and services in the class are cancelled, namely: Pharmaceutical preparations, namely, pharmaceutical preparations for the treatment of diseases and disorders of the alimentary tract and metabolism, and blood and blood forming organs; pharmaceutical preparations for the treatment of diseases and disorders of the cardiovascular system, musculoskeletal system, central nervous system, peripheral nervous system, genitourinary system and respiratory system; and pharmaceutical preparations for the treatment of dermatological, hormonal, infectious, viral and oncological diseases and disorders

Grounds for Cancellation

Priority and likelihood of confusion		Trademark Act section 2(d)	
Registration No	4405327	Registration date	09/24/2013
International Registration No.	NONE	International Registration Date	NONE
Registrant	Boehringer Ingelheim International GmbH GERMANY		

Goods/Services Subject to Cancellation

Class 005. First Use: 0 First Use In Commerce: 0


All goods and services in the class are cancelled, namely: Pharmaceutical preparations, namely, pharmaceutical preparations for the treatment of diseases and disorders of the alimentary tract and metabolism, and blood and blood forming organs; pharmaceutical preparations for the treatment of diseases and disorders of the cardiovascular system, musculoskeletal system, central nervous system, peripheral nervous system, genitourinary system and respiratory system; pharmaceutical preparations for the treatment of dermatological, hormonal, infectious, viral and oncological diseases and disorders

Grounds for Cancellation

Priority and likelihood of confusion		Trademark Act section 2(d)	
Related Proceedings		Cancellation No. 92061665	

Mark Cited by Petitioner as Basis for Cancellation

U.S. Registration No.	1353649	Application Date	10/01/1984
Registration Date	08/13/1985	Foreign Priority Date	NONE
Word Mark	PRAX		

Design Mark	
Description of Mark	NONE
Goods/Services	Class 005. First use: First Use: 1980/06/00 First Use In Commerce: 1980/06/00 PHARMACEUTICAL PREPARATION-NAMELY, EMOLLIENT SKIN LOTION

Attachments	73501842#TMSN.png(bytes) Petition for Cancellation PRAX.pdf(20604 bytes) Ex A PRAX Registration.pdf(465766 bytes) Ex B PRAXFAB Reg.pdf(562139 bytes) Ex C PRAXDOTA Reg.pdf(584798 bytes) Ex D PRAXDOT Reg.pdf(565116 bytes)
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Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by First Class Mail on this date.

Signature	/Julie A. Greenberg/
Name	Julie A. Greenberg
Date	06/19/2015

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of:

Registration No. 4,460,694 for PRAXFAB

Date of Registration: January 7, 2014

Registration No. 4,460,693 for PRAXDOTA

Date of Registration: January 7, 2014

Registration No. 4,405,327 for PRAXDOT

Date of Registration: September 24, 2013

Ferndale IP, Inc.,

Petitioner,

Cancellation No.

vs.

Boehringer Ingelheim International GmbH,

Registrant.

_____ /

PETITION FOR CANCELLATION

Ferndale IP, Inc., Petitioner herein, a corporation of Michigan, having a principal place of business at 780 W. Eight Mile Road, Ferndale, MI 48220, believes that it has been and will be damaged by Registration Nos. 4460694 for PRAXFAB, 4460693 for PRAXDOTA and 4405327 for PRAXDOT, and hereby petitions to cancel the registrations of the marks for these goods.

As grounds for this Petition, it is alleged that:

1. The Petitioner owns and has extensively used the highly distinctive and arbitrary mark PRAX (the “PRAX Mark”) for pharmaceutical preparations for dermatological conditions for many decades. Petitioner’s use has been continuous since at least as early as 1980. In connection with its use, Petitioner owns *incontestable* U.S. Trademark Registration No. 1,353,649 for the mark PRAX, issued on August 13, 1985 (the “‘649 Registration.”) A copy of Petitioner’s ‘649 Registration is attached hereto as Exhibit A.

PRAXFAB

2. On May 14, 2013, approximately *twenty-eight years* after Petitioner's Registration for PRAX issued, and thirty-three years after Petitioner's first use for pharmaceutical preparations for dermatological conditions, Registrant applied for a U.S. extension of protection of the closely similar mark PRAXFAB, which contains Petitioner's PRAX mark in its entirety, in International Class 005, for a variety of goods, including, among them, ***pharmaceutical preparations for dermatological conditions – the identical goods to those of Petitioner***. The application was filed based on International Registration No. 1167600, which issued on May 14, 2013, and on intent-to-use. (Exhibit B)

3. Petitioner has invested substantial resources over many decades in connection with the development and promotion of the PRAX Mark for use with pharmaceutical preparations for dermatological conditions, and for development of the goodwill associated therewith, and considers the PRAX Mark, and its related Registration, to constitute extremely valuable assets.

4. Registrant's later registered PRAXFAB mark is confusingly similar to Petitioner's long registered and highly distinctive PRAX mark, and if used on the goods listed in the registration – namely, pharmaceutical preparations for the treatment of dermatological diseases and disorders – confusion will, or possibly has resulted, and will likely continue, causing harm to Petitioner, its reputation and goodwill, and, because the nature of the goods are pharmaceutical preparations, risking public health harm due to confusion and possible erroneous dispensing of medication.

5. If the Registrant is permitted to retain the Registration sought to be canceled, which incorporates Petitioner's Mark in its entirety as its dominant element, Petitioner will be damaged by the loss of the exclusive rights and presumptions to which it is entitled by virtue of its prior extensive use of Petitioner's Mark by over thirty-three years, including a possible bar to obtaining

future registrations for its PRAX mark.

6. If the Registrant is permitted to retain the Registration sought to be canceled, a cloud will be placed on Petitioner's title in and to its PRAX Mark and on its right to enjoy the free and exclusive use thereof as it relates to its goods. Petitioner may be limited in its future attempts to register its rightfully owned PRAX Mark. Further, third parties evaluating the strength of Petitioner's PRAX mark will view the field as crowded and Petitioner's mark as weak. Such a conflicting registration is and will continue to be a source of damage and injury to the Petitioner.

PRAXDOTA

7. On May 14, 2013, approximately *twenty-eight years* after Petitioner's Registration for PRAX issued, and thirty-three years after Petitioner's first use for pharmaceutical preparations for dermatological conditions, Registrant applied for a U.S. extension of protection of the closely similar mark PRAXDOTA, which contains Petitioner's PRAX mark in its entirety, in International Class 005, for a variety of goods, including, among them, *pharmaceutical preparations for dermatological conditions – the identical goods to those of Petitioner*. The application was filed based on International Registration No. 1167599, which issued on May 14, 2013, and on intent-to-use. (Exhibit C)

8. Petitioner has invested substantial resources over many decades in connection with the development and promotion of the PRAX Mark for use with pharmaceutical preparations for dermatological conditions, and for development of the goodwill associated therewith, and considers the PRAX Mark, and its related Registration, to constitute extremely valuable assets.

9. Registrant's later registered PRAXDOTA mark is confusingly similar to Petitioner's long registered and highly distinctive PRAX mark, and if used on the goods listed in the registration – namely, pharmaceutical preparations for the treatment of dermatological diseases and disorders –

confusion will, or possibly has resulted, and will likely continue, causing harm to Petitioner, its reputation and goodwill, and, because the nature of the goods are pharmaceutical preparations, risking public health harm due to confusion and possible erroneous dispensing of medication.

10. If the Registrant is permitted to retain the Registration sought to be canceled, which incorporates Petitioner's Mark in its entirety as its dominant element, Petitioner will be damaged by the loss of the exclusive rights and presumptions to which it is entitled by virtue of its prior extensive use of Petitioner's Mark by over thirty-three years, including a possible bar to obtaining future registrations for its PRAX mark.

11. If the Registrant is permitted to retain the Registration sought to be canceled, a cloud will be placed on Petitioner's title in and to its PRAX Mark and on its right to enjoy the free and exclusive use thereof as it relates to its goods. Petitioner may be limited in its future attempts to register its rightfully owned PRAX Mark. Further, third parties evaluating the strength of Petitioner's PRAX mark will view the field as crowded and Petitioner's mark as weak. Such a conflicting registration is and will continue to be a source of damage and injury to the Petitioner.

PRAXDOT

12. On March 12, 2013, approximately *twenty-eight years* after Petitioner's Registration for PRAX issued, and thirty-three years after Petitioner's first use for pharmaceutical preparations for dermatological conditions, Registrant applied for a U.S. extension of protection of the closely similar mark PRAXDOT, which contains Petitioner's PRAX mark in its entirety, in International Class 005, for a variety of goods, including, among them, ***pharmaceutical preparations for dermatological conditions – the identical goods to those of Petitioner***. The application was filed based on International Registration No. 1158598, which issued on March 12, 2013, and on intent-to-use. (Exhibit D)

13. Petitioner has invested substantial resources over many decades in connection with the development and promotion of the PRAX Mark for use with pharmaceutical preparations for dermatological conditions, and for development of the goodwill associated therewith, and considers the PRAX Mark, and its related Registration, to constitute extremely valuable assets.

14. Registrant's later registered PRAXDOT mark is confusingly similar to Petitioner's long registered and highly distinctive PRAX mark, and if used on the goods listed in the registration – namely, pharmaceutical preparations for the treatment of dermatological diseases and disorders – confusion will, or possibly has resulted, and will likely continue, causing harm to Petitioner, its reputation and goodwill, and, because the nature of the goods are pharmaceutical preparations, risking public health harm due to confusion and possible erroneous dispensing of medication.

15. If the Registrant is permitted to retain the Registration sought to be canceled, which incorporates Petitioner's Mark in its entirety as its dominant element, Petitioner will be damaged by the loss of the exclusive rights and presumptions to which it is entitled by virtue of its prior extensive use of Petitioner's Mark by over thirty-three years, including a possible bar to obtaining future registrations for its PRAX mark.

16. If the Registrant is permitted to retain the Registration sought to be canceled, a cloud will be placed on Petitioner's title in and to its PRAX Mark and on its right to enjoy the free and exclusive use thereof as it relates to its goods. Petitioner may be limited in its future attempts to register its rightfully owned PRAX Mark. Further, third parties evaluating the strength of Petitioner's PRAX mark will view the field as crowded and Petitioner's mark as weak. Such a conflicting registration is and will continue to be a source of damage and injury to the Petitioner.

WHEREFORE, the Petitioner prays that this Petition for Cancellation be sustained, and that Registration Nos. 4460694, 4460693 and 4405327 be canceled. Petitioner hereby gives notice that it

will rely on its exhibits annexed to this Petition for Cancellation as evidence in support of this Petition for Cancellation. Petitioner further prays that this proceeding be consolidated with Cancellation No. 92061665, as the parties are the same and the proceedings involve common questions of law or fact.

The filing fee of this cancellation in the amount of \$900.00 is enclosed.

Petitioner hereby appoints the attorneys of Gifford, Krass, Sprinkle, Anderson & Citkowski, P.C., a law firm having a place of business at 2701 Troy Center Drive, Ste. 330, Michigan 48084, to act as attorneys for Petitioner herein, with full power to prosecute said cancellation, to transact all relative business in the United States Patent and Trademark Office and in the United States courts, and to receive all official communications in connection with this cancellation.

Respectfully submitted,

s/ Julie A. Greenberg
GIFFORD, KRASS, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.
2701 Troy Center Drive, Ste. 330
Troy, MI 48084
(248) 647-6000
(248) 647-5210 (Fax)
litigation@patlaw.com

Attorneys for Petitioner

Dated: June 19, 2015

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **PETITION FOR CANCELLATION** was deposited as First Class Mail, postage prepaid in an envelope addressed to:

Boehringer Ingelheim GmbH,
CDept. Intellectual Property Rights
Binger Str. 173
55216 Ingelheim
GERMANY

on this 19th day of June, 2015.

s/ Julie A. Greenberg _____
GIFFORD, KRASS, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.
2701 Troy Center Drive, Ste. 330
Troy, MI 48084
(248) 647-6000
(248) 647-5210 (Fax)
litigation@patlaw.com

CERTIFICATE OF FILING

I hereby certify that the foregoing **PETITION FOR CANCELLATION** was electronically filed with the TTAB on this 19th day of June, 2015.

s/ Julie A. Greenberg _____
GIFFORD, KRASS, SPRINKLE,
ANDERSON & CITKOWSKI, P.C.
2701 Troy Center Drive, Ste. 330
Troy, MI 48084
(248) 647-6000
(248) 647-5210 (Fax)
litigation@patlaw.com

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office

Reg. No. 1,353,649

Registered Aug. 13, 1985

TRADEMARK
PRINCIPAL REGISTER



FERNDALÉ LABORATORIES, INC. (MICHIGAN CORPORATION)
780 W. EIGHT MILE ROAD
FERNDALÉ, MI 48220

FIRST USE 6-0-1980; IN COMMERCE 6-0-1980.

SER. NO. 501,842, FILED 10-1-1984.

FOR: PHARMACEUTICAL PREPARATION—
NAMELY, EMOLLIENT SKIN LOTION, IN
CLASS 5 (U.S. CL. 18).

ROBERT RABINOWITZ, EXAMINING ATTORNEY

Generated on: This page was generated by TSDR on 2015-06-17 13:29:18 EDT

Mark: PRAXFAB

PRAXFAB

US Serial Number: 79132994

Application Filing Date: May 14, 2013

US Registration Number: 4460694

Registration Date: Jan. 07, 2014

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 07, 2014

Publication Date: Oct. 22, 2013

Mark Information

Mark Literal Elements: PRAXFAB

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1167600

International Registration Date: May 14, 2013

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Pharmaceutical preparations, namely, pharmaceutical preparations for the treatment of diseases and disorders of the alimentary tract and metabolism, and blood and blood forming organs; pharmaceutical preparations for the treatment of diseases and disorders of the cardiovascular system, musculoskeletal system, central nervous system, peripheral nervous system, genitourinary system and respiratory system; and pharmaceutical preparations for the treatment of dermatological, hormonal, infectious, viral and oncological diseases and disorders

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Boehringer Ingelheim International GmbH

Owner Address: 55218 Ingelheim
GERMANY

Legal Entity Type: CORPORATION

State or Country Where Organized: GERMANY

Attorney/Correspondence Information

**Attorney of Record - None
Correspondent**

Correspondent Boehringer Ingelheim GmbH,
Name/Address: CDept. Intellectual Property Rights
Binger Str. 173
55216 Ingelheim
GERMANY

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 28, 2014	NOTIFICATION PROCESSED BY IB	
Feb. 10, 2014	FINAL DISPOSITION NOTICE SENT TO IB	
Feb. 10, 2014	FINAL DISPOSITION PROCESSED	72589
Feb. 06, 2014	GRANT OF PROTECTION CREATED, TO BE SENT TO IB	
Jan. 07, 2014	REGISTERED-PRINCIPAL REGISTER	
Oct. 22, 2013	PUBLISHED FOR OPPOSITION	
Oct. 21, 2013	NOTIFICATION PROCESSED BY IB	
Oct. 02, 2013	NOTIFICATION OF POSSIBLE OPPOSITION SENT TO IB	
Oct. 02, 2013	NOTICE OF START OF OPPOSITION PERIOD CREATED, TO BE SENT TO IB	
Oct. 02, 2013	NOTICE OF PUBLICATION	
Sep. 09, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
Sep. 02, 2013	ASSIGNED TO EXAMINER	74781
Jul. 31, 2013	APPLICATION FILING RECEIPT MAILED	
Jul. 27, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jul. 26, 2013	LIMITATION FROM ORIGINAL APPLICATION ENTERED	67445
Jul. 25, 2013	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1167600

International Registration Date: May 14, 2013

Priority Claimed Flag: Yes

Date of Section 67 Priority Claim: Nov. 21, 2012

Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED

Date of International Registration Status: Jul. 25, 2013

Notification of Designation Date: Jul. 25, 2013

Date of Automatic Protection: Jan. 25, 2015

International Registration Renewal Date: May 14, 2023

First Refusal Flag: No

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 07, 2014

United States of America
United States Patent and Trademark Office

PRAXFAB

Reg. No. 4,460,694

Registered Jan. 7, 2014

Int. Cl.: 5

TRADEMARK

PRINCIPAL REGISTER

BOEHRINGER INGELHEIM INTERNATIONAL GMBH (FED REP GERMANY
CORPORATION)
55218 INGELHEIM
FED REP GERMANY

FOR: PHARMACEUTICAL PREPARATIONS, NAMELY, PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DISEASES AND DISORDERS OF THE ALIMENTARY TRACT AND METABOLISM, AND BLOOD AND BLOOD FORMING ORGANS; PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DISEASES AND DISORDERS OF THE CARDIOVASCULAR SYSTEM, MUSCULOSKELETAL SYSTEM, CENTRAL NERVOUS SYSTEM, PERIPHERAL NERVOUS SYSTEM, GENITOURINARY SYSTEM AND RESPIRATORY SYSTEM; AND PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DERMATOLOGICAL, HORMONAL, INFECTIOUS, VIRAL AND ONCOLOGICAL DISEASES AND DISORDERS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 11-21-2012 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1167600 DATED 5-14-2013, EXPIRES 5-14-2023.

SER. NO. 79-132,994, FILED 5-14-2013.

DOUGLAS LEE, EXAMINING ATTORNEY



Deborah S. Cohn

Commissioner for Trademarks of the
United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*
What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*
What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or
reminder of these filing requirements.**

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

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Mark: PRAXDOTA

PRAXDOTA

US Serial Number: 79132993

Application Filing Date: May 14, 2013

US Registration Number: 4460693

Registration Date: Jan. 07, 2014

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Jan. 07, 2014

Publication Date: Oct. 22, 2013

Mark Information

Mark Literal Elements: PRAXDOTA

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1167599

International Registration Date: May 14, 2013

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

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International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Boehringer Ingelheim International GmbH

Owner Address: 55218 Ingelheim
GERMANY

Legal Entity Type: CORPORATION

State or Country Where Organized: GERMANY

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Boehringer Ingelheim GmbH,

Name/Address: CDept. Intellectual Property Rights
Binger Str. 173
55216 Ingelheim
GERMANY

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
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Jul. 25, 2013	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1167599	International Registration Date: May 14, 2013
Priority Claimed Flag: Yes	Date of Section 67 Priority Claim: Nov. 21, 2012
Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED	Date of International Registration Status: Jul. 25, 2013
Notification of Designation Date: Jul. 25, 2013	Date of Automatic Protection: Jan. 25, 2015
International Registration Renewal Date: May 14, 2023	
First Refusal Flag: No	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Jan. 07, 2014

United States of America
United States Patent and Trademark Office

PRAXDOTA

Reg. No. 4,460,693

Registered Jan. 7, 2014

Int. Cl.: 5

TRADEMARK

PRINCIPAL REGISTER

BOEHRINGER INGELHEIM INTERNATIONAL GMBH (FED REP GERMANY
CORPORATION)
55218 INGELHEIM
FED REP GERMANY

FOR: PHARMACEUTICAL PREPARATIONS, NAMELY, PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DISEASES AND DISORDERS OF THE ALIMENTARY TRACT AND METABOLISM, AND BLOOD AND BLOOD FORMING ORGANS; PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DISEASES AND DISORDERS OF THE CARDIOVASCULAR SYSTEM, MUSCULOSKELETAL SYSTEM, CENTRAL NERVOUS SYSTEM, PERIPHERAL NERVOUS SYSTEM, GENITOURINARY SYSTEM AND RESPIRATORY SYSTEM; AND PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DERMATOLOGICAL, HORMONAL, INFECTIOUS, VIRAL AND ONCOLOGICAL DISEASES AND DISORDERS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

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SER. NO. 79-132,993, FILED 5-14-2013.

DOUGLAS LEE, EXAMINING ATTORNEY



Deborah S. Cohn

Commissioner for Trademarks of the
United States Patent and Trademark Office

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Requirements in the First Ten Years*

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Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

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Grace Period Filings*

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Mark: PRAXDOT

PRAXDOT

US Serial Number: 79129491

Application Filing Date: Mar. 12, 2013

US Registration Number: 4405327

Registration Date: Sep. 24, 2013

Register: Principal

Mark Type: Trademark

Status: Registered. The registration date is used to determine when post-registration maintenance documents are due.

Status Date: Sep. 24, 2013

Publication Date: Jul. 09, 2013

Mark Information

Mark Literal Elements: PRAXDOT

Standard Character Claim: Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

Mark Drawing Type: 4 - STANDARD CHARACTER MARK

Related Properties Information

International Registration Number: 1158598

International Registration Date: Mar. 12, 2013

Goods and Services

Note: The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Pharmaceutical preparations, namely, pharmaceutical preparations for the treatment of diseases and disorders of the alimentary tract and metabolism, and blood and blood forming organs; pharmaceutical preparations for the treatment of diseases and disorders of the cardiovascular system, musculoskeletal system, central nervous system, peripheral nervous system, genitourinary system and respiratory system; pharmaceutical preparations for the treatment of dermatological, hormonal, infectious, viral and oncological diseases and disorders

International Class(es): 005 - Primary Class

U.S Class(es): 006, 018, 044, 046, 051, 052

Class Status: ACTIVE

Basis: 66(a)

Basis Information (Case Level)

Filed Use: No

Currently Use: No

Amended Use: No

Filed ITU: No

Currently ITU: No

Amended ITU: No

Filed 44D: No

Currently 44D: No

Amended 44D: No

Filed 44E: No

Currently 44E: No

Amended 44E: No

Filed 66A: Yes

Currently 66A: Yes

Filed No Basis: No

Currently No Basis: No

Current Owner(s) Information

Owner Name: Boehringer Ingelheim International GmbH

Owner Address: 55218 Ingelheim
GERMANY

Legal Entity Type: CORPORATION

State or Country Where Organized: GERMANY

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Boehringer Ingelheim GmbH,

Name/Address: CDept. Intellectual Property Rights
Binger Str. 173
55216 Ingelheim
GERMANY

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Nov. 16, 2013	NOTIFICATION PROCESSED BY IB	
Oct. 28, 2013	FINAL DISPOSITION NOTICE SENT TO IB	
Oct. 24, 2013	FINAL DISPOSITION PROCESSED	67445
Oct. 24, 2013	GRANT OF PROTECTION CREATED, TO BE SENT TO IB	
Sep. 24, 2013	REGISTERED-PRINCIPAL REGISTER	
Jul. 09, 2013	PUBLISHED FOR OPPOSITION	
Jun. 19, 2013	NOTICE OF PUBLICATION	
Jun. 03, 2013	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 28, 2013	ASSIGNED TO EXAMINER	88575
May 28, 2013	APPLICATION FILING RECEIPT MAILED	
May 22, 2013	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
May 21, 2013	LIMITATION FROM ORIGINAL APPLICATION ENTERED	72589
May 16, 2013	SN ASSIGNED FOR SECT 66A APPL FROM IB	

International Registration Information (Section 66a)

International Registration Number: 1158598

International Registration Date: Mar. 12, 2013

Priority Claimed Flag: Yes

Date of Section 67 Priority Claim: Oct. 05, 2012

Intl. Registration Status: REQUEST FOR EXTENSION OF PROTECTION PROCESSED

Date of International Registration Status: May 16, 2013

Notification of Designation Date: May 16, 2013

Date of Automatic Protection: Nov. 16, 2014

International Registration Renewal Date: Mar. 12, 2023

First Refusal Flag: No

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE SECTION

Date in Location: Sep. 24, 2013

United States of America
United States Patent and Trademark Office

PRAXDOT

Reg. No. 4,405,327

Registered Sep. 24, 2013

Int. Cl.: 5

TRADEMARK

PRINCIPAL REGISTER

BOEHRINGER INGELHEIM INTERNATIONAL GMBH (FED REP GERMANY
CORPORATION)
55218 INGELHEIM
FED REP GERMANY

FOR: PHARMACEUTICAL PREPARATIONS, NAMELY, PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DISEASES AND DISORDERS OF THE ALIMENTARY TRACT AND METABOLISM, AND BLOOD AND BLOOD FORMING ORGANS; PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DISEASES AND DISORDERS OF THE CARDIOVASCULAR SYSTEM, MUSCULOSKELETAL SYSTEM, CENTRAL NERVOUS SYSTEM, PERIPHERAL NERVOUS SYSTEM, GENITOURINARY SYSTEM AND RESPIRATORY SYSTEM; PHARMACEUTICAL PREPARATIONS FOR THE TREATMENT OF DERMATOLOGICAL, HORMONAL, INFECTIOUS, VIRAL AND ONCOLOGICAL DISEASES AND DISORDERS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

PRIORITY DATE OF 10-5-2012 IS CLAIMED.

OWNER OF INTERNATIONAL REGISTRATION 1158598 DATED 3-12-2013, EXPIRES 3-12-2023.

SER. NO. 79-129,491, FILED 3-12-2013.

KEVIN MITTLER, EXAMINING ATTORNEY



Lea Street Lea

Deputy Director of the United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

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